

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STATE OF NEW MEXICO *ex rel.*

State Engineer, *et al.*,

Plaintiffs,

69cv07941 MV/KK

Rio Chama Adjudication

v.

ROMAN ARAGON, *et al.*,

Section 3: Rio Cebolla

Defendants.

ORDER

THIS MATTER comes before the Court on the State of New Mexico's Motion for Approval of Proposed Scheduling and Procedural Order for Determination of Priority Dates and Irrigation Water Requirements in the Rio Cebolla Subsection of Section 3 of the Rio Chama Stream System, Doc. 11271, filed July 31, 2017.

The State of New Mexico ("State") seeks an order establishing the schedule and procedure for adjudicating water rights priorities and irrigation water requirements in the Cebolla Subsection similar to the Scheduling and Procedural Order for the Village of Chama Subsection of Section 7. *See* Doc. 10915, filed May 30, 2013. The State proposes serving Defendants in the Cebolla Subsection with a notice, by mail and by publication, informing them that the Court has entered an Order that requires them to file an objection with the Court if they disagree with the priority dates or irrigation water requirements proposed by the State for the Rio Cebolla Subsection. After the deadline has expired for filing protests to the proposed determination of priority dates and irrigation water requirements, the State will submit a proposed scheduling and procedural order to address and resolve any objections that are filed with the Court. The State also seeks approval of the Notice to be mailed to Defendants and the Public Notice to be

published once a week for four weeks in the *Rio Grande Sun*. The State attached copies of its proposed Scheduling and Procedural Order, the Notice and Public Notice to the Motion. No responses opposing the Motion have been filed.

The Court will grant the Motion for Approval of Proposed Scheduling and Procedural Order for Determination of Priority Dates and Irrigation Water Requirements in the Rio Cebolla Subsection of Section 3 of the Rio Chama Stream System, Doc. 11271, filed July 31, 2017. The Scheduling and Procedural Order, the Notice and the Public Notice will be filed separately from this Order. The proposed Notice and the proposed Public Notice were revised to correct the names of some of the defendants listed. The proposed Public Notice was revised to include the irrigation water requirements which were inadvertently omitted from the Proposed Public Notice attached to the Motion.

IT IS ORDERED that the State of New Mexico's Motion for Approval of Proposed Scheduling and Procedural Order for Determination of Priority Dates and Irrigation Water Requirements in the Rio Cebolla Subsection of Section 3 of the Rio Chama Stream System, Doc. 11271, filed July 31, 2017, is **GRANTED**.


KIRTAN KHALSA
UNITED STATES MAGISTRATE JUDGE